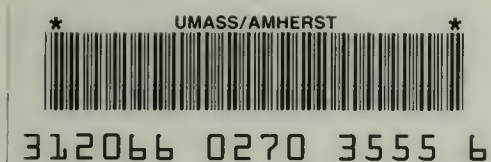


MASS. EA31.2: M33



Massachusetts Division of Marine Fisheries



Marine Fisheries Regulation Summaries as of January, 2000

Updated by: Daniel J. McKiernan, *Aquatic Biologist III*,
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MARINE FISHERIES REGULATION SUMMARIES

as of January 2000

Updated by Daniel J. McKiernan, Aquatic Biologist III, Brian Kelly, Aquatic Biologist II and
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These documents are updated annually to serve as a companion document to Mass. General Laws, Chapter 130 and rules and regulations 322 CMR.

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Please contact the authors for more information or suggestions.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
(as of January 2000)

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Refer to Chapter 130 and 322 CMR for details.

The following regulatory changes occurred in 1999 and will be in effect for 2000:

Note: This is not a comprehensive list of all regulatory changes enacted during these two years. It does NOT include regulations changed by emergency action that expired and are no longer in effect, nor does it include regulations that have been superseded by more recent changes.

- Recreational lobstermen to add prefix "N" to their permit marking of equipment to facilitate enforcement of trap limits. [CMR 3.07]. Effective February 1999.
- Area 6 (Rockport to New Hampshire) closure amended so regulation does not conflict with state and federal groundfish closures. [CMR 3.04]. Effective February 1999.
- Maximum lobster size in Area I (possession) of carapace length = 5 inches, [CMR 6.01]; lobster escape vent increased to rectangular opening of 1 15/16 inch by 5 3/4 inch or 2 round openings at least 2 7/16 inches diameter; maximal lobster trap size established at 22,950 in³. [CMR 6.02]. Effective February 1999.
- Scup wintertime (Jan 1 - April 30) trip limit lowered from 20,000 to 12,000 lbs to comply with federal plan. [CMR 6.28]. Effective February 1999.
- Enactment of spring-time groundfishing closure (April 1- May 31) in Cape Cod Bay, Massachusetts Bay, and waters north to New Hampshire border to complement federal closures. [CMR 8.12]. Effective February 1999.
- Establishment of 6 fish bag limit for shad. [CMR 8.06]. Effective February 1999.
- Enactment of fixed gear rules to complement federal rules regarding whale entanglement. Unlawful for fishermen to deploy fixed fishing gear with lines floating at the water's surface anywhere in state waters. Lobster pots set in Cape Cod Bay right whale Critical Habitat May 16-December 31 must be rigged with at least 2 of the configurations defined in 322 CMR 12.04, while pots set in state waters outside the Critical Habitat during this time frame must be rigged with at least one of these configurations. [CMR 12.04]. Effective February 1999.
- Enactment of cod trip limits to complement federal groundfish rules. 400 pound cod trip limit for DMF commercial permit holders north of 42 00' N latitude and including all waters of Cape Cod Bay established to complement limit in the EEZ. Effective February 1999. Also, a 2000 pound cod trip limit east and south of Cape Cod south of 42 00' N latitude. [CMR 6.03]. Effective January 2000.
- Moratorium on issuance of fluke regulated permits to commercial fishermen. [CMR 6.22]. Effective February 1999.
- Unlawful for recreational fishermen to possess summer flounder during the period October 3 through May 9. [CMR 6.22]. Effective April 2000.
- New landing/possession limits for commercial fishermen taking summer flounder by hooks and nets. [CMR 6.22(2)]. Effective April 1999.
- Clarifies per-vessel trap limit to comply with the ASMFC FMP for lobster which specifies all trap limits as "per vessel". [CMR 6.13]. Effective December 1999.
- Provides the definition of lobster conservation/management areas as specified in the ASMFC plan for American lobster. [CMR 6.31]. Effective May 1999.
- Establishes licensing and statistical reporting requirements for horseshoe crabs. [CMR 6.34]. Effective May 1999.
- Commercial striped bass fishery rules changes. Change in striped bass daily limit for commercial fishermen to maximum of 40 striped bass, three no-fishing days per week, dealers must tag striped bass at point of first sale with DMF-issued tags, and a regulated fishery permit requirement replaces the special permit requirement. [CMR 6.07]. Effective June 1999.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

- Definition of total length is changed for striped bass and other species requiring fishermen to close fishes' mouth when measuring fish. [CMR 6.03, 6.07, and 6.09]. Effective June 1999.
- Establishes a procedure for the transfer of limited entry fish pot permits pursuant to Chapter 184, acts of 1998. [CMR 6.12]. Effective July 1999.
- Establishes a procedure for the transfer of limited entry permits pursuant to Chapter 184, acts of 1998. [CMR 7.06]. Effective July 1999.
- Open season for catching urchins with mobile gear shortened by prohibiting urchin dragging in September. Also, lightweight dredge specifications were enacted. [CMR 6.24]. Effective September 1999.
- Northern shrimp season for 1999-2000 shortened to 51 days (open January 17- March 31) and prohibition of Sunday fishing. There are 2 new gear modifications allowed in the shrimp fishery: double Nordmore grate and a cod-end strengthener. [CMR 5.00]. Effective December 1999.
- Establishes a gear-specific endorsement for commercial fluke permits. [CMR 6.22]. Effective December 1999.
- Requires all commercial permit holders to accommodate DMF authorized sea samplers upon request. [CMR 7.05 and 7.01]. Effective December 1999.
- New groundfishing rules to complement federal rules: Maximum trawl roller size decreased from 18 to 12 inches [CMR 8.04], and trawl mesh opening for nets rigged with "square mesh" increased from 6 to 6.5 inches. [CMR 8.07]. Effective December 1999.
- Tautog open commercial seasons for 1999-2000 are April 16-May 15 and July 11-October 31. [CMR 8.13]. Effective December 1999.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
(as of January 2000)

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: GILLNETTING (Fishing on or near bottom)

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)_____	\$260	\$520
	(60 - 99 feet)_____	\$195	\$390
	(59 feet or less)_____	\$130	\$260
	or		
	Individual_____	\$65	\$130
AND	(2) Regulated Fishery_____	\$30	\$60

AND, if certain species are being taken or landed,
(3) Species-specific permits for summer flounder (fluke), scup, sea herring,
dogfish, black sea bass.....\$30/each

PERMIT LIMIT: Permits limited to renewals only.

REPORTING

REQUIREMENTS: Catch reports required. Forms supplied by DMF.

GEAR

RESTRICTIONS:

- Mesh minimum size: 6" (stretched) [CMR 8.11(11)].
- Net maximum length: 2400 feet [CMR 4.13(4)].
- Marking [CMR 4.13]
 - East end -- high flyer and 12" tetrahedral radar reflector.
 - West end -- high flyer, flag, and tetrahedral radar reflector.
- Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	Mass. Bay adjacent to Boston Harbor	May 15 - Nov 1	CMR 4.11
	South of Cape Cod including around Martha's Vineyard & Nantucket	April 1 - Nov 15	CMR 4.09
	North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
	Groundfish Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	February 1-April 30	CMR 8.12
	Groundfish Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
	Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06

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RULES & REGULATIONS SUMMARY
(as of January 2000)

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Refer to Chapter 130 and 322 CMR for details.

AREA/SEASON

CLOSURES:

LOCATION

DURATION

REGULATION

Inshore Net Areas
(estuaries and harbors,
includes Buzzards Bay)

Year-round
(see "Gillnetting with
inshore net permit".)

CMR 4.02

Fish Weir Buffer Zone

Year-round

CMR 4.04

SPECIES BANNED

TO THIS GEAR:

Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04],
all billfish [CMR 6.11], lobster (must also have a coastal lobster permit).

Other Relevant

Restrictions:

Federal marine mammal regulations apply to all commercial fishermen fishing in state waters. "Pingers" are required in certain seasons and areas and these rules are subject to change. Also federal regulations require certain gillnet gear specifications to reduce the risk of entanglement with large whales. Contact NMFS for details.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: GILLNETTING (Fishing on or near surface)

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)_____	\$260	\$520
	(60 - 99 feet)_____	\$195	\$390
	(59 feet or less)_____	\$130	\$260
	or		
	Individual_____	\$65	\$130
AND	(2) Regulated Fishery (required but not offered) _____	\$30	\$60

REPORTING

REQUIREMENTS: None.

GEAR

- RESTRICTIONS:**
- Mesh minimum size: None.
 - Net maximum length: 2400 feet [CMR 4.13(4)].
 - Marking [CMR 4.13]
 - East end -- high flyer and 12" tetrahedral radar reflector.
 - West end -- high flyer, flag, and tetrahedral radar reflector.
 - Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
	South of Cape Cod including around Martha's Vineyard & Nantucket	April 1 - Nov 15	CMR 4.09
	Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06
	Inshore Net Areas (estuaries and harbors includes Buzzards Bay)	Year-round (see "Gillnetting with inshore net permit".)	CMR 4.02
	Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIES BANNED

TO THIS GEAR: Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11].

SPECIAL

RESTRICTIONS: See "Gillnetting for Bluefish" summary.

Other Relevant

Restrictions: Federal marine mammal regulations apply to all commercial fishermen fishing in state waters. "Pingers" are required in certain seasons and areas and these rules are subject to change. Also federal regulations require certain gillnet gear specifications to reduce the risk of entanglement with large whales. Contact NMFS for details.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
(as of January 2000)

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: GILLNETTING for Bluefish.

Defined when catch for any 30 consecutive days is 50% or more bluefish.

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)		
	(60 - 99 feet)	\$260	\$520
	(59 feet or less)	\$195	\$390
		\$130	\$260

or

Individual	\$65	\$130
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AND (2) Regulated Fishery	\$30	\$60
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PERMIT LIMIT: Permits to gillnet for bluefish south of a line from the Cape Cod Canal to P'town including all waters south and west of Cape Cod are issued only to those individuals who held a bluefish gillnet regulated fishery permit in 1982 [CMR 4.05].

REPORTING

REQUIREMENTS: Catch reports required. Forms supplied by DMF.
Commercial fishermen shipping bluefish to out of state dealers are required to become authorized dealers [CMR 4.05(2&4)].

GEAR

RESTRICTIONS:

- Mesh minimum size: 5" (stretched) [CMR 4.05(5)].
- Net maximum length: 1500 feet [CMR 4.05(5)].
- Marking [CMR 4.13]
 - East end -- high flyer and 12" tetrahedral radar reflector.
 - West end -- high flyer, flag, and tetrahedral radar reflector.
- Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
	Southeastern CCBay	Year-round	CMR 4.05(10)
	Cod Spawning Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	February 1-April 30	CMR 8.12
	Cod Spawning Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
	Mass. Bay adjacent to Boston Harbor	May 15 - Nov. 1	CMR 4.11
	Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06
	Inshore Net Areas (estuaries and harbors includes Buzzards Bay)	Year-round (see "Gillnetting with inshore net permit".)	CMR 4.02
	Fish Weir Buffer Zone	Year-round	CMR 4.04

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
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Refer to Chapter 130 and 322 CMR for details.

SPECIAL

RESTRICTIONS:

- Nets must be tended at all times [CMR 4.05(5)].
- Night fishing is prohibited [CMR 4.05(5)].
(½ hour after sunset to ½ hour before sunrise)
- Daily possession limit and quota set annually [CMR 4.05(3)].

**SPECIES BANNED
TO THIS GEAR:**

Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: **GILLNETTING, TRAWLING, PURSE SEINING, or HAUL SEINING with inshore net regulated fishery permit.**

PERMIT

REQUIRED: (1) Commercial Fishermen

	<u>Resident</u>	<u>Non Res.</u>
Boat (Coastal or Offshore Lobster)_____	\$260	\$520
(60 - 99 feet)_____	\$195	\$390
(59 feet or less)_____	\$130	\$260

or

Individual_____ \$65 \$130

AND (2) Regulated Fishery_____ \$30 \$60

Note: No special permit needed to fish with a net less than 200 square feet for baitfish for personal use [CMR 4.02(5)].

REPORTING

REQUIREMENTS: Varies with fishery. Some yearly catch reports required.

GEAR

RESTRICTIONS:

- Mesh minimum size: Variable. DMF discretion.
- Net size: Variable. DMF discretion.
- Gillnet Marking: unless waived by DMF, CMR 4.13 applies:
 East end -- high flyer and 12" tetrahedral radar reflector.
 West end -- high flyer, flag, and tetrahedral radar reflector.
- Vessel maximum size: 90 feet registered length [CMR 8.05].

PERMIT

LIMITATIONS: Although fishing with nets is generally prohibited in the Inshore Net Areas, permits are occasionally issued to individuals to fish for species other than flounder. The applicant must list - and is limited to - the target species, gear type, and fishing area. See CMR 4.02 for descriptions of inshore net areas.

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	All state waters closed to night mobile gear fishing	Year-round	CMR 8.03

SPECIES BANNED:

Any species not listed on permit is banned.
Note: winter flounder netting is banned year round in defined inshore net areas that include Mt. Hope Bay and Buzzards Bay.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: PURSE SEINING for SEA HERRING or MENHADEN

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen	Boat (Coastal or Offshore Lobster)	\$260	\$520
	(60 - 99 feet)	\$195	\$390
	(59 feet or less)	\$130	\$260
	or		
	Individual	\$65	\$130
AND (2) Regulated Fishery Permit for sea herring		\$30	\$60

REPORTING

REQUIREMENTS: No catch reports are presently required.

GEAR

RESTRICTIONS: The 90' vessel size limit [CMR 8.05] does **not** apply to vessels fishing in state waters, but vessels >165 feet - 3,000 HP cannot land herring in the Commonwealth [CMR 9.03].

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	All State Waters* closed to sea herring	Aug 1 - Oct 31	CMR 9.02
	Inshore Net Areas** (estuaries and harbors, and includes Buzzards Bay)	Year-round	CMR 4.02
	Eastern Cape Cod Bay*** (Dennis to Wellfleet)	Year-round	CMR 4.01(1a)
	Fish Weir Buffer Zone	Year-round	CMR 4.04

* During the annual sea herring spawning closure, vessels fishing in other fisheries are allowed a by-catch of 10 % herring by weight. The Sea Herring Management Plan is under review by NMFS and will affect year 2000 spawning regulations; contact DMF for details. [CMR 9.02(3)].

**Inshore Net Regulated Fishery Permit required to gain access to these areas year-round.

*** Regulated fishery permit may be issued to fish in this area. Vessels seeking to fish in a restricted area from Rock Harbor, Orleans to Jeremy Point, Wellfleet are further restricted. See CMR 4.01(2).

SPECIES BANNED

TO THIS GEAR: Striped bass [CMR 6.07] and shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
RULES & REGULATIONS SUMMARY
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: MOBILE GEAR: Otter and Beam Trawls, Scallop Dredges, Bottom Pair Trawls, Scottish/Danish Seines and Pair Seines.

(With NO regulated fishery permits for small mesh fishing, north shore mobile gear, or inshore net. See separate sheets for other permits.)

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen			
Boat (Coastal or Offshore Lobster)		\$260	\$520
(60 - 99 feet)		\$195	\$390
(59 feet or less)		\$130	\$260
	or		
Individual		\$65	\$130
AND (2) Coastal Access Permit		\$30	\$60

AND, if certain species are being taken or landed,

- (3) Species-specific permits for summer flounder (fluke), scup, sea herring
dogfish, sea bass.....\$30/each

PERMIT

- LIMIT:**
- Coastal Access Permits limited to those who held permit in 1994 [CMR 7.05(13)].
 - Coastal Access Permits are transferrable [CMR 7.06 & 7.05(1)]

REPORTING

REQUIREMENTS: No catch reports required.

GEAR

- RESTRICTIONS:**
- Mesh minimum size [CMR 8.07] (See chart for boundaries):
- north & east of Cape Cod - 6" diamond or 6½" square required year-round.
 - south of Cape Cod - 6" diamond or 6½" square required Nov. 1 - April 22.
- 4½" required June 1 - Oct. 31.
- Note:** 100 lb limit on combined flounder(s) when mesh less than 6" mesh in possession [CMR 8.07(1g)].
- Vessel maximum size: 72 feet length overall except as noted in [CMR 7.05 (13)].
- Net rollers: 12" maximum diameter [CMR 8.04].
- Scallop dredge: - Combined maximum 10 foot width in possession [CMR 4.10(1)].
- 3 ½" minimum ring size [CMR 4.10(3)].
- Net strengtheners: Alterations which obstruct or diminish meshes prohibited, including the use of "twisted mesh" [CMR 8.07(8)].

**AREA/SEASON
CLOSURES:**

<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
All state waters closed to night fishing	Year-round	CMR 8.03
Groundfish Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	February 1-April 30	CMR 8.12
Groundfish Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
Inshore Net Areas	Year-round	CMR 4.02

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Refer to Chapter 130 and 322 CMR for details.

CLOSURES (continued):	(estuaries and harbors, includes Buzzards & Mt Hope Bays)	(See "Trawling with Inshore Net Permit")	
	<u>Location</u>	<u>Duration</u>	<u>Regulation</u>
	Nantucket Sound (1A) (Off Nantucket Island)	April 1 - April 30	CMR 3.04(7)
	Nantucket Island (1B) (Great Pt. to Nant. Harbor)	April 1 - April 30 & June 1 - Sept 15	CMR 3.04(8)
	Cape Cod backside (2A): from Nauset Light around Monomoy to Succunnessett Pt., Mashpee	May 1 - Oct 31	CMR 3.04(6)
	Succunnessett Pt., Mashpee to Nobska Pt., Falmouth (1/4 mile)	April 23 - May 31	CMR 3.04(10a)
	Succunnessett Pt., Mashpee to Nobska Pt., Falmouth (1/2 mile)	June 1 - Oct 31	CMR 3.04(10b)
	Nobska Pt., Falmouth to Cuttyhunk (1/4 mile)	May 1 - Oct 31	CMR 3.04(11)
	North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
	Area 2B from Provincetown to Plymouth	May 1 - Oct 31	CMR 3.04(5)
	Area 3 from Plymouth to Hull	April 1 - Oct 31	CMR 3.04(4)
	Area 4 off outer Boston Harbor	April 1 - Dec 31	CMR 3.04(3)
	North Shore state waters (Broad Sound to New Hampshire) except for Areas 5 & 6 where regulated fishery permit is required.	Year-round	CMR 3.04(2)
	Fish Weir Buffer Zone	Year-round	CMR 4.04

**SPECIES BANNED
TO THIS GEAR:**

- Lobster: [Ch. 130 sec. 37]. Note CMR 4.06(7) which restricts mobile gear fishermen seen fishing in state waters to only 100 lobsters (taken from federal waters) in possession.
- Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec.35], tuna [CMR 6.04], billfish [CMR 6.11].

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: MOBILE GEAR: Otter and Beam Trawls, Bottom Pair Trawls, Scottish/Danish Seines and Pair Seines.

With Regulated Fishery Permits for the following:

(A) North Shore Mobile Gear: access to Areas 5 & 6

(B) Small-mesh fishing for pout, whiting, dogfish

(C) Small-mesh fishing for squid

Permits required for each; Coastal Access Permit may be endorsed for North Shore Mobile Gear access or for the use of small mesh for pout, whiting, dogfish, or squid.

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)	\$260	\$520
	(60 - 99 feet)	\$195	\$390
	(59 feet or less)	\$130	\$260
	or		
	Individual	\$65	\$130

AND (2) Coastal Access Permit \$30 \$60
(CAP can be endorsed for one of the regulated fisheries at no charge, and each additional endorsement costs an additional \$30/\$60.)

AND, if certain species are being taken or landed,

(3) Species-specific permits for summer flounder (fluke), scup, sea herring,
sea bass, dogfish.....\$30/each

(A) North Shore Mobile Gear Permit:

PERMIT

RESTRICTIONS: • Coastal Access Permits limited to those who held permit in 1994 [CMR 7.05(13)].

AREA/SEASON

CLOSURES:

LOCATION

All state waters closed
to night fishing.

DURATION

Year-round

REGULATION

CMR 8.03

When permitted to fish in areas 5 & 6 the following closures apply:

Area 5 off Rockport

April 1 - June 14
Oct 1 - Jan 31

CMR 3.04(2b)

Area 6 from Rockport to
New Hampshire

April 1- Dec 14

CMR 3.04(2a)

REPORTING

REQUIREMENTS: Annual reports of monthly catch required.

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Refer to Chapter 130 and 322 CMR for details.

Mobile gear fishing continued...

GEAR

- RESTRICTIONS:**
- Mesh minimum size: 6" diamond or 6½" square unless use of smaller mesh is permitted.
See (B) Small mesh permits.
 - Trawl sweep (footrope) maximum length: 80 feet [CMR 3.04(2c)].
 - Vessel maximum size: 72 feet length overall except as noted in [CMR 7.05 (13)].
 - No rollers: Only chain, wire or disk sweeps allowed [CMR 3.04(2c)].

**SPECIES BANNED
TO THIS GEAR:**

- Possession of lobsters is prohibited [CMR 3.04(2c)].

(B) Small-Mesh Permits for Ocean Pout, Dogfish, or Whiting:

PERMIT

RESTRICTIONS:

- Number of permits issued may be limited.
- **Ocean pout** and **Dogfish** permits have not been issued since 1995.
- **Whiting** permit valid only **September 1 - 30**, in Area 5 or in other areas or times opened by DMF [CMR 8.07(4)]. Experimental whiting fishery permits have been issued annually for fall months in upper Cape Cod Bay.

REPORTING

REQUIREMENTS:

Catch reports may be required. Contact DMF for details.

GEAR

RESTRICTIONS:

Mesh Minimum Size:	May be established as permit condition.
Vessel Maximum Size:	72 feet length overall except as noted in [CMR 7.05 (13)].
Net Rollers:	12" diameter [CMR 8.04].

**SPECIES BANNED
TO THIS GEAR:**

No retention of any of the 10 federally regulated groundfish species (types of flounders, cod, haddock, or pollack) unless authorized by Director [CMR 8.07].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

(c) Small-Mesh Permits for Squid:

PERMIT

- RESTRICTIONS:**
- Permit only valid April 23 - May 31 [CMR 8.08(7)]. Director may extend to June 15 [CMR 8.07(1e)].
 - Fishery limited to waters south of Cape Cod [CMR 8.07].
 - Possession limit of 100 lbs. combined of winter flounder, summer flounder, yellowtail flounder, or windowpane flounder [CMR 8.07(1g)].

REPORTING

REQUIREMENTS: None.

GEAR

RESTRICTIONS:

Mesh Minimum Size:	May be established as permit condition.
Vessel Maximum Size:	72 feet length overall [CMR 7.05 (13)].
Net Rollers:	12" diameter [CMR 8.04].

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	All state waters closed to night fishing	Year-round	CMR 8.03
	Inshore Net Areas (estuaries and harbors, includes Buzzards Bay and Mt. Hope Bay)	Year-round (See "Trawling with Inshore Net Permit")	CMR 4.02
	Nantucket Sound (1A) (Off Nantucket Island)	April 1 - April 30	CMR 3.04(7)
	Nantucket Island (1B) (Great Pt. to Nant. Harbor)	April 1 - April 30 & June 1 - Sept 15	CMR 3.04(8)
	Cape Cod backside (2A): from Nauset Light around Monomoy to Succunnessett Pt., Mashpee	May 1 - Oct 31	CMR 3.04(6)
	Succunnessett Pt., Mashpee to Nobska Pt., Falmouth (1/4 mile)	April 23 - May 31	CMR 3.04(10a)
	Succunnessett Pt., Mashpee to Nobska Pt., Falmouth (1/2 mile)	June 1 - Oct 31	CMR 3.04(10b)
	Nobska Pt., Falmouth to Cuttyhunk (1/4 mile)	May 1 - Oct 31	CMR 3.04(11)
	Fish Weir Buffer Zone	Year-round	CMR 4.04

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: NORTHERN SHRIMP: Small-mesh Fishing in Federal Waters

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)_____	\$260	\$520
	(60 - 99 feet)_____	\$195	\$390
	(59 feet or less)_____	\$130	\$260
	_____ or _____		
	Individual_____	\$65	\$130
AND	(2) Northern Shrimp Regulated Fishery Permit_____	\$30	\$60

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	•All state waters closed to shrimp fishing.	Year-round	CMR 8.07

•For 2000: No fishing for or landing of shrimp on any Sunday. The following are the open fishing dates for the 2000 season: January 17-March 15.

GEAR

- RESTRICTIONS:**
- Codend Mesh Minimum Size: 1 3/4" [322 CMR 5.05(1)].
 - Nordmore grate (single or double) or other approved finfish excluder device required [CMR 5.05(5,7) & 5.06(4)].
 - Maximum distance between trawl doors and trawl wings, including ground cables, bridles, etc. shall not exceed 15 fathoms. Bottom legs bare wire or chain [CMR 5.05(6)].
 - Chafing gear and cod-end net strengtheners now allowed.

Other restrictions may apply. Shrimp regulations are amended by the states of Maine, New Hampshire, and Massachusetts each fall for this winter/spring fishery. Contact DMF for details.

SPECIES BANNED TO

- THIS GEAR:**
- No landing of any of the 10 regulated groundfish species bycatch. See regulation for list of species [CMR 5.06(7) & 5.02].
 - Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch. 130 sec. 35] tuna [CMR 6.04], all billfish [CMR 6.11].

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: SURF CLAM DREDGING

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)_____	\$260	\$520
	(60 - 99 feet)_____	\$195	\$390
	(59 feet or less)_____	\$130	\$260
	or		
	Individual_____	\$65	\$130
AND	(2) Regulated Fishery Permit _____	\$30	\$60

PERMIT LIMIT:

- Surf clam regulated fishery permit limited to those who held a permit and can document landings from state waters prior to 2/4/93 [CMR 6.08(3)(d)].
- Surf clam regulated fishery permit is transferrable.

REPORTING

REQUIREMENTS: All commercial surf clam fishermen are required to provide the Director with a monthly record of the areas fished, ports landed, and a daily record of surf clams harvested [CMR 6.08(5)(a)]. Forms supplied by DMF.

GEAR

RESTRICTIONS:

- Hydraulic dredge limited to 100 inch effective fishing width south of Chatham, then south and west within state waters to the MA/RI border [CMR 6.08(3)(b)].
- Hydraulic dredge limited to 48 inch effective fishing width in all waters not included above [CMR 6.08(3)(b)].
- Limited to operation of one dredge. [CMR 6.08(3)(b)2]
- Vessel maximum size: 90 feet registered length [CMR 8.05].

**AREA/SEASON
CLOSURES:**

All state waters closed to night fishing year-round [CMR 8.03].
Many closures apply [CMR 6.08(2)and(6)]. Contact DMF.

- November 1 - April 30 no dredging of surf clams shoreward of the 12 foot depth contour from Point Allerton, Hull to the RI border [CMR 6.08(2a)].
- May 1 - October 31 no dredging of surf clams shoreward of the 20 foot depth contour from Point Allerton, Hull to the RI border [CMR 6.08(2b)].

**SPECIES BANNED
TO THIS GEAR:**

Bay Scallops, and quahogs (M. mercenaria) unless licensed by town where fishing for those species [CMR 6.08(5)(c)].

LIMITS:

- Surf clam minimum size limit 5" shell diameter [CMR 6.08(3)(c)].
- Limit of 200 bushels per 24 hour day [CMR 6.08(3)(a)].
- Limit of 400 bushels per 48 hour trip when fishing in state waters[CMR 6.08(3)(a)].

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Refer to Chapter 130 and 322 CMR for details.

**FISHERY: SURF CLAM DREDGING IN CONTAMINATED AREAS
(Harvest for bait purposes from Prohibited areas)**

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen			
Boat (Coastal or Offshore Lobster)	_____	\$260	\$520
(60 - 99 feet)	_____	\$195	\$390
(59 feet or less)	_____	\$130	\$260
	or		
Individual	_____	\$65	\$130
AND (2) Regulated Fishery Permit	_____	\$30	\$60

PERMIT

- RESTRICTIONS:**
- Fisherman may not hold a Shellfish Transaction Card [CMR 6.08(9)(I)].
 - Catch must be landed and distributed according to permit restrictions [CMR 6.08(7)(e)].
 - All shellfish must be landed at a location to be named on the permit [CMR 6.08(7)(e)].

REPORTING

- REQUIREMENTS:**
- All commercial contaminated surf clam fishermen are required to provide the Director with a monthly record of the areas fished, ports landed, and a daily record of surf clams harvested by bushel [CMR 6.08(5)(a)&(7)(g)]. Forms supplied by DMF.
 - In addition a daily record of sales must be kept [CMR 6.08(7)(g)].
 - All bags and containers must be labeled at sea with red tags stating: "CONTAMINATED SHELLFISH - FOR BAIT PURPOSES ONLY" [CMR 6.08(7)(b)].

GEAR

- RESTRICTIONS:**
- Hydraulic dredge limited to 16 inch effective fishing width. [CMR 6.08(3)(b)(3)]
 - Limited to operation of one dredge. [CMR 6.08(3)(b)2]
 - Vessel maximum size: 90 feet registered length [CMR 8.05].
 - Pump limited to 300 GPM at a 10 ft. head

AREA/SEASON

- CLOSURES:**
- All state waters closed to night fishing year-round [CMR 8.03, 6.08(7)(d)].
 - Fishing allowed only in areas specifically endorsed on permit [CMR(6.08(7)(a)].
 - No fishing in areas classified as approved [CMR 6.08(7)(a)].

**SPECIES BANNED
TO THIS GEAR:**

All other shellfish species.

LIMITS:

- Sea clam minimum size limit 5" shell diameter [CMR 6.08(3)(b)].
- 50 bushel/day limit on shell stock or 100 gallons shucked per 24 hour day [CMR 6.08(7)(f)].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: OCEAN QUAHOG DREDGING

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen	Boat (Coastal or Offshore Lobster)	\$260	\$520
	(60 - 99 feet)	\$195	\$390
	(59 feet or less)	\$130	\$260
	or		
	Individual	\$65	\$130
AND (2) Regulated Fishery Permit		\$30	\$60

- PERMIT LIMIT:**
- Ocean quahog regulated fishery permit limited to those who held a permit and can document landings from state waters prior to 6/3/93 or meet the requirements to fish for surf clams [CMR 6.08(4)(c)].
 - Ocean quahog regulated fishery permit is transferrable.

REPORTING

- REQUIREMENTS:**
- All commercial ocean quahog fishermen are required to provide the Director with a monthly record of the areas fished, times fished, and a daily record of harvest by bushel [CMR 6.08(5)(a)]. Forms supplied by DMF.

GEAR

- RESTRICTIONS:**
- Hydraulic dredge limited to 100 inches effective fishing width. [CMR 6.08(4)(b)(1)]
 - Limited to operation of one dredge. [CMR 6.08(4)(b)2]
 - Vessel maximum size: 90 feet registered length [CMR 8.05].

**AREA/SEASON
CLOSURES:**

All state waters closed to night fishing year-round [CMR 8.03].
Many closures apply [CMR 6.08(6)]. Contact DMF.

**SPECIES BANNED
TO THIS GEAR:**

Bay Scallops, and quahogs (*M. mercenaria*) unless licensed by town where fishing for those species [CMR 6.08(5)(c)].

- Any vessel rigged for ocean quahogs may not possess surf clams [CMR 6.08(4)(b)3].

LIMITS:

- Limit of 26 cages (832 bushels) per 24 hour day [CMR 6.08(4)(a)].

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: HOOK AND LINE (includes Rod and Reel)

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen	Boat (Coastal or Offshore Lobster)	\$260	\$520
	(60 - 99 feet)	\$195	\$390
	(59 feet or less)	\$130	\$260
or			
	Individual	\$65	\$130
or			
	Rod & Reel	\$35	\$100

AND, if certain species are being taken or landed,

- (2) Species-specific permits for summer flounder, striped bass, scup, sea herring,
Dogfish, sea bass, American eel.....\$30/each

REPORTING

REQUIREMENTS: American eel and striped bass reporting requirements, contact DMF.

GEAR

RESTRICTIONS:

Hook size is restricted when longlining for cod inside the winter flounder spawning closure area from Feb 1 - May 31. Hooks must exceed 11/16" gape or circle hooks must measure at least 1/2" inside [CMR 8.09].

Rod & Reel permit holders may not use handlines or longlines.

Maximum vessel size: 90 feet [CMR 8.05].

**AREA/SEASON
CLOSURES:**

<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
Groundfish Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	February 1-April 30	CMR 8.12
Groundfish Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
Fish Weir Buffer Zone	Year-round	CMR 4.04

Note: Winter flounder nearshore spawning closure from P'town to N.H. (Feb. - May 31) is open for hooking of cod only (with gear restrictions as above) [CMR 8.09], and when area is opened to the harvest of cod as noted above [CMR 8.12].

SPECIAL

RESTRICTIONS:

Winter Flounder: Commercial take prohibited from February 1 - May 31 in inshore waters where netting is restricted. These areas include bays and estuaries from Provincetown, along the "backside" of Cape Cod, Buzzards Bay and west to Mount Hope Bay [CMR 6.23(3)]. Mount Hope Bay is closed year-round [CMR 6.23].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: FISH WEIRS (also known as Fish Traps or Pound Nets)

PERMIT

REQUIRED:	(1) Commercial Fishermen		<u>Resident</u>	<u>Non Res.</u>
	Boat	(Coastal or Offshore Lobster)	\$260	\$520
		(60 - 99 feet)	\$195	\$390
		(59 feet or less)	\$130	\$260
	or			
	Individual		\$65	\$130

AND 2) Local town approval [Ch. 130 sec 29]

AND, if certain species are being taken or landed,

(3) Species-specific permits for summer flounder (fluke), scup, sea herring...\$30/each

REPORTING

REQUIREMENTS: Annual catch reports (Ch. 130 sec 33).

PERMIT

RESTRICTIONS: In the following order, one must have approval from:

- 1) Local selectmen regarding the construction and location.
- 2) Division of Marine Fisheries [Ch. 130 sec.29].
- 3) Division of Waterways.

GEAR

- RESTRICTIONS:**
- Inshore and offshore ends must be marked with DMF permit numbers signs or flags; numbers must be at least 6" in height [Ch.130 sec.30].
 - Division of Waterways regulates the marking of traps for navigational criteria.
 - To designate the "fish trap buffer zone", weir heads and leader must be marked with 12" orange inflated balls attached to anchor lines and marked with DMF assigned number. See CMR 4.04(3) for more details.

AREA/SEASON

CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	NONE	NONE	NONE

SPECIES BANNED

TO THIS GEAR: Lobster [Ch. 130 sec.37]; Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec.35].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: LOBSTERING commercially with POTS in state waters.

Not including lobstering with a student permit. See other appropriate summaries for details.

PERMIT		<u>Resident</u>	<u>Non. Resident</u>
REQUIRED:	(1) Coastal Lobster _____	\$260	\$520

AND, if certain species are being taken or landed,

(2) Species-specific permits for summer flounder (fluke), scup,.....	\$30	\$60
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PERMIT LIMIT: No new permits are being issued to lobster commercially in state waters. Existing permits are renewable and permit transfers are limited [CMR 7.03].

PERMIT RESTRICTIONS:

- Beginning in 1999, fishermen must choose which management area(s) they intend to fish and abide by the most restrictive rules for those area(s). For 2000, the only area specific restriction is a 5" maximum lobster size for fishermen fishing in or choosing Inshore Gulf of Maine (Area 1) [CMR 6.31]

- Trap hauling at night prohibited [Ch. 130 sec. 39].

REPORTING REQUIREMENTS: Annual catch reports [Ch.130 sec.38B].

GEAR RESTRICTIONS:

- Pot limit of 800 [CMR 6.13(2)].
- Year-specific trap tags required on all traps [CMR 6.31]
- Escape vent required in trap's parlor section must measure at least 1 15/16" x 5 3/4" or two circular vents must be at least 2-7/16" diameter [CMR 6.02(1)].
- Degradable 'ghost' panels required [CMR 6.02(2)].
- All traps, buoys and lobster cars must bear fisherman's license number [Ch. 130 sec.38 and CMR 3.07(1)].
- Fisherman's buoy colors must be displayed on vessel[Ch.130 sec.38A].
- Marking [CMR 4.13(3)]:
 - Pots require a single 7"x 7" or 5" x 11" buoy; stick is optional.
 - Trawls:East end - double buoy and one or more 3' sticks.
 - West end - single buoy with 3' stick and flag.
 - Note Boston Harbor exemption.
- Trawl maximum length: 2000 feet [CMR 4.13(5)].
- Vessel maximum size: 90 feet registered length [CMR 8.05].
- Use of multiple pot strings (trawls) is prohibited in the waters of Gosnold [Ch. 130 sec.37].
- Use of buoyed lobster cars is prohibited except in "inshore net areas" [CMR 6.14(2)].
- Use of floating line at the surface prohibited [CMR 12.03].

**Special Cape Cod Bay
Critical Habitat Gear Restrictions,**

Jan 1- May 15:

- Breakaway buoy line required [CMR 12.05]
- Lines between traps must be sinking [CMR 12.05]
- Single pots prohibited, must be at least 4-pot trawls with two buoy lines or two-pot "doubles" with just one buoy line [CMR 12.05].
- Buoys must be marked with "twin orange markers" [CMR 12.05 & 4.13(d)]

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Refer to Chapter 130 and 322 CMR for details.

**AREA/SEASON
CLOSURES:**

<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
Fish Weir Buffer Zone	Year-round	CMR 4.04
Upper New Bedford Hbr	Year-round	CMR 6.29

Note: No landing of lobster Feb 1 - April 30 from 8:00 PM through 6:00 AM [CMR 6.25].

**SPECIES BANNED TO
THIS GEAR:**

Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters[CMR 6.02(3)]; Lobsters larger than 5" carapace length for fishermen who've chosen Area 1 as one of their fishing areas [322 CMR 6.01].

The catch of finfish and conch must not exceed the catch of lobster by weight, else a regulated fish pot fishery permit is required [CMR 6.12(2)].

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: LOBSTERING commercially with POTS - using STUDENT lobster permit

PERMIT REQUIRED:		<u>Resident</u>	<u>Non. Res.</u>
	(1) Student Lobster	\$65	\$130

REPORTING REQUIREMENTS: Annual catch reports [Ch.130 sec.38B].

PERMIT LIMIT: Permits are granted **only** to full-time students over the age of 12, but are not limited.

PERMIT RESTRICTIONS: Beginning in 1999, fishermen must choose which management area(s) they intend to fish and abide by the most restrictive rules for those area(s). For 2000, the only area specific restriction is a 5" maximum lobster size for fishermen fishing in or choosing Inshore Gulf of Maine (Area 1) [322 CMR 6.01]

- Trap hauling at night prohibited [Ch. 130 sec. 39].
- Fishing only allowed from June 15 - Sept. 15 [Ch. 130 sec.38]
- No more than 25 pots may be set [Ch. 130 sec.38].
- Night fishing is prohibited [Ch. 130 sec.39].
- Permit holder not allowed to tend traps authorized under recreational permit (e.g. another family member's traps).

GEAR

- RESTRICTIONS:**
- Year specific trap tag with permit number must be attached to trap's cross member.
 - Escape vent required in trap's parlor section must measure at least 1 15/16" x 5 3/4" or two circular vents must be at least 2-7/16" diameter [CMR 6.02(1)].
 - Degradable 'ghost' panels required [CMR 6.02(2)].
 - All traps, buoys and lobster cars must bear fisherman's license number [Ch. 130 sec.38 and CMR 3.07(1)].
 - Fisherman's buoy color scheme must be displayed on vessel [Ch.130 sec.38A].
 - Marking [CMR 4.13(3)]:
 - Pots require a single 7"x 7" or 5" x 11" buoy; stick is optional.
 - Trawls: East end - double buoy and one or more 3' sticks.
 - West end - single buoy with 3' stick and flag.
 - Note Boston Harbor exemption.
 - Trawl maximum length: 2000 feet [CMR 4.13(5)].
 - Vessel maximum size: 90 feet registered length [CMR 8.05].
 - Use of trawls is prohibited in the waters of Gosnold [Ch. 130 sec.37].
 - Use of buoyed lobster cars is prohibited except in "inshore net areas" [CMR 6.14(2)].
 - Use of floating line at the surface prohibited [CMR 12.03].

AREA/SEASON CLOSURES:

<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
All state waters	Sept 16 - June 14	Ch.130, sec.38
New Bedford Hbr	Year-round	CMR 6.29
Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIES BANNED TO THIS GEAR:

Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters [CMR 6.02(3)]; Lobsters larger than 5" carapace length for fishermen who've chosen Area 1 as one of their fishing areas.

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: **LOBSTERING commercially with SCUBA in state waters.**

LICENSE		<u>Resident</u>	<u>Non.Resident</u>
REQUIRED:	Coastal Lobster _____	\$260	\$520

PERMIT LIMIT: No new permits are being issued to lobster commercially in state waters. Existing permits are renewable and permit transfers are limited [CMR 7.03].

PERMIT
RESTRICTIONS: Night fishing for lobsters is prohibited [Ch. 130 sec.39].

REPORTING
REQUIREMENTS: Fishermen must submit annual catch reports [Ch. 130 sec.38b].

GEAR
RESTRICTIONS: •Scuba tank and floating marker must display permit numbers. Permit numbers shall be not less than 3 inches in height nor less than ½ inch in thickness or width of line [Ch. 130 sec. 38A and CMR 3.07(2)].

AREA/SEASON CLOSURES:	<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
	Fish Weir Buffer Zone	Year-round	CMR 4.04
	New Bedford Hbr	Year-round	CMR 6.29

Note: No landing of lobster Feb 1 - April 30 from 8:00 PM through 6:00 AM [CMR 6.25].

SPECIES BANNED: Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters [CMR 6.02(3)]; Lobsters larger than 5" carapace length for fishermen who've chosen Area 1 as one of their fishing areas [322 CMR 6.01].

MASSACHUSETTS DIVISION OF MARINE FISHERIES
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Refer to Chapter 130 and 322 CMR for details.

FISHERY: **LOBSTERING recreationally with POTS or SCUBA using the Non-Commercial Lobster Permit.**

PERMIT		<u>Resident</u>	<u>Non. Res.</u>
REQUIRED:	Non-Commercial Lobster _____	\$40	\$60

REPORTING REQUIREMENTS:

- Annual Catch Report: number of pots set or hours diving and number of lobsters taken must be reported.

PERMIT RESTRICTIONS:

- Sale of lobsters and crabs prohibited (Ch. 130 sec. 38).
- No more than 10 pots may be set (Ch. 130 sec. 38).
- Trap hauling at night prohibited [Ch. 130 sec. 39].
- Non-residents must own \$5,000 in Mass. real estate and temporarily reside in a Mass. coastal town [Ch. 130 sec. 38].
- Non-residents may only use the permit during June through September.

GEAR RESTRICTIONS:

- Escape vent required in trap's parlor section must measure at least 1 15/16" x 5 3/4" or two circular vents must be at least 2-7/16" diameter [CMR 6.02(1)].
- Degradable 'ghost' panels required [CMR 6.02(2)].
- All traps, buoys and lobster cars must bear the letter "N" followed by the fisherman's license number [Ch. 130 sec.38 and CMR 3.07(1)].
- Fisherman's buoy color scheme must be displayed on vessel [Ch.130 sec.38A].
- Marking [CMR 4.13(3)]:
 - Pots require a single 7"x 7" or 5" x 11" buoy; stick is optional.
 - Trawls: East end - double buoy and one or more 3' sticks.
 - West end - single buoy with 3' stick and flag.
- Note Boston Harbor exemption.
- Trawl maximum length: 2000 feet [CMR 4.13(5)].
- Vessel maximum size: 90 feet registered length [CMR 8.05].
- Use of trawls is prohibited in the waters of Gosnold [Ch. 130 sec.37].
- Use of buoyed lobster cars is prohibited except in "inshore net areas" [CMR 6.14(2)].
- Use of floating line at the surface prohibited [CMR 12.03].

Special Restrictions to reduce whale entanglement risk:

Fishermen must comply with at least one feature from the **Lobster Technology List** below. Those fishing in Cape Cod Bay Critical Habitat during May 16-Dec 31 must comply with at least two features. Those who fish in Critical Habitat during the right whale season (January - May 15) are subjected to tighter restrictions. See below.

Lobster Technology List [322 CMR 12.04]:

- All buoy lines are 7/16" diameter or less;
- All buoy lines attached to the buoy with a weak link of 1100 lbs. breaking strength;
- All buoy lines composed entirely of sinking line;
- Ground lines (between traps in a trawl) made of sinking lines.

Special Cape Cod Bay

Critical Habitat Gear Restrictions,

- Jan 1- May 15:**
- Breakaway buoy line required [CMR 12.05]
 - Lines between traps must be sinking [CMR 12.05]
 - Single pots prohibited, must be at least 4-pot trawls with two buoy lines or two-pot "doubles" with just one buoy line [CMR 12.05].
 - Buoys must be marked with "twin orange markers" [CMR 12.05 & 4.13(d)]

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Refer to Chapter 130 and 322 CMR for details.

**AREA/SEASON
CLOSURES:**

<u>LOCATION</u>	<u>DURATION</u>	<u>REGULATION</u>
Fish Weir Buffer Zone	Year-round	CMR 4.04
New Bedford Harbor	Year-round	CMR 6.29

**SPECIES BANNED
TO THIS GEAR:**

Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters [CMR 6.02(3)]; Lobsters larger than 5" carapace length unless permit is restricted to use only in waters outside of Lobster Management Area 1 [322 CMR 6.01].

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: POTTING for SEA BASS

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen			
Boat (Coastal or Offshore Lobster)	_____	\$260	\$520
(60 - 99 feet)	_____	\$195	\$390
(59 feet or less)	_____	\$130	\$260
	or		
Individual	_____	\$65	\$130
AND (2) Regulated Fishery	_____	\$30	\$60
AND, if certain species are being taken or landed,			
(3) Species-specific permits for summer flounder (fluke), scup, ...	\$30		\$60

PERMIT LIMIT: Permits are limited to those fishermen who held a 1987 black sea bass regulated fishery permit and reported activity in this fishery within 1988 - 1993 [CMR 6.12(3)]. Permits are transferrable. Fishermen who possess the Coastal Lobster permit may take finfish in their traps as long as the weight of fish and conch does not exceed the weight of lobster [CMR 6.12(2)].

PERMIT

RESTRICTIONS: Night fishing (½ hour after sunset to ½ hour before sunrise) is prohibited [CMR 6.15(5a)].

REPORTING

REQUIREMENTS: Annual catch reports.

GEAR

RESTRICTIONS:

- Year specific trap tag with permit number must be attached to trap's cross member.
- Pot Limit of 200 combined sea bass and scup, or 350 if two permit holders fish from the same vessel [CMR 6.15(2g)].
- All buoys and pots must bear fisherman's permit number [CMR 6.12(4a)].
- Use of floating line at the surface prohibited [CMR 12.03].
- Marking [CMR 4.13(3)]:
 - Pots require a single buoy (7"x 7" or 5"x 11"); stick optional with no flag.
 - Trawls: East end - double buoy and one or more 3' sticks.
 - West end - single buoy with 3' stick and flag.
- All fish pots require accepted ghost panel [CMR 6.12(9)].
- Escape vent required in trap's parlor section must measure at least 1 1/8" x 5 3/4" or a circular vent at least 2" diameter [CMR 6.12(10)].
- Trawl maximum length: 2000 feet [CMR 4.13(5)].
- Vessel maximum size: 90 feet registered length [CMR 8.05].
- Use of trawls is prohibited in the waters of Gosnold [Ch. 130 sec.37].
- All vessels must display buoy color scheme [CMR 6.12(4)].

SPECIES BANNED

TO THIS GEAR: Edible crabs from January 1- April 30 [Ch. 130 sec.40]; Lobster (one needs a commercial lobster permit to take lobster).

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Refer to Chapter 130 and 322 CMR for details.

**FISHERY: POTTING for Conch, Scup, or other species
 (excluding SEA BASS)**

PERMIT

REQUIRED:	(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
	Boat (Coastal or Offshore Lobster)_____	\$260	\$520
	(60 - 99 feet)_____	\$195	\$390
	(59 feet or less)_____	\$130	\$260
	or		
	Individual_____	\$65	\$130
	Shellfish (conch only)_____	\$40	\$80
AND	(2) Regulated Fishery_____	\$30	\$60

PERMIT LIMIT: Permits are limited to those fishermen who held a regulated fishery permit for scup and/or for conch prior to August 17, 1990 and are transferrable [CMR 6.12(3)].

PERMIT

RESTRICTIONS: Conch pot fishery closed from Dec. 15 - April 14 [CMR 6.12(6)].
All conchs must be landed whole in the shell [CMR 6.21]

REPORTING

REQUIREMENTS: Pot fishermen must submit catch reports annually.

GEAR

- RESTRICTIONS:**
- Year specific trap tag with permit number must be attached to trap's cross member.
 - Trap limit for conch potters, 200 pots; for scup potters 50 pots [CMR 6.15(2)].
 - Conch pots defined as lacking side heads or horizontal laths [CMR 6.12(1)].
 - All pots and buoys must bear fisherman's permit number [CMR 6.12(4)].
 - Marking [CMR 4.13(3)]:
 - Pots require a single buoy (7"x 7" or 5" x 11"); stick optional with no flag.
 - Trawls: East end - double buoy and one or more 3' sticks.
 - West end - single buoy with 3' stick and flag.
 - All fish pots require accepted ghost panel [CMR 6.12(9)].
 - Escape vent required and must measure at least 2.25" square or circular vents of at least 3.1" diameter [CMR 6.12(10)]
 - Trawl maximum length: 2000 feet [CMR 4.13(5)].
 - Vessel maximum size: 90 feet registered length [CMR 8.05].
 - Use of trawls is prohibited in the Waters of Gosnold [Ch. 130 sec.37].
 - All vessels must display buoy color scheme [CMR 6.12(4)].

**SPECIES BANNED
TO THIS GEAR:**

Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Lobster (one needs a commercial lobster permit to take lobster).

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FISHERY: **COMMERCIAL SHELLFISHING (OTHER THAN DREDGING FOR SURF CLAM, OCEAN QUAHOGS OR POTTING CONCHS)**

In approved waters:

PERMIT

REQUIRED: 1) License from respective coastal municipality [Ch. 130, sections 52 & 53].

And

2) Commercial fishermen license endorsed for shellfish required to sell shellfish harvested from approved waters [Ch. 130, sections 75 & 83].

Licenses endorsed for Shellfish

<u>Commercial Shellfish</u>	<u>Resident</u>	<u>Non Resident</u>
Coastal Lobster	\$260	\$520
Large Boat (60' - 90')	\$195	\$390
Small Boat (0' - 59')	\$130	\$260
Individual	\$65	\$130
Shellfish	\$40	\$80
Rod & Reel (Shellfish)	\$55	\$130

In certain restricted or conditionally restricted areas, as designated by DMF :

PERMIT

REQUIRED: 1) License from respective coastal municipality [Ch. 130, sections 52 & 53].

And

2) Special license to harvest, possess and sell shellfish from restricted areas [322 CMR 7.01 & 7.02].

<u>Special Shellfish Permits</u>	<u>Resident</u>	<u>Non Resident</u>
Master Digger	\$130	\$260
Subordinate Digger	\$40	\$80

Note: As of 1997, DMF no longer permits harvest of contaminated soft shelled clams for bait.

REPORTING

REQUIREMENTS: Yearly catch reports required for shellfishermen harvesting in approved waters. Cities and towns generally require a yearly catch report at the time of license renewal. Master diggers reporting as noted in the special permit requirements.

GEAR

RESTRICTIONS: Subject to town authority (Ch. 130, s52).

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Refer to Chapter 130 and 322 CMR for details.

CLOSURES:

Shellfish growing waters may be closed to the harvest of shellfish as a result of:

1. Public health closure based upon water quality, e.g. bacteria or oil spill. (Ch. 130, section 74, 74A & 75),
2. Marine Biotoxin closure based upon the presence of toxin above NSSP closure levels in raw shellfish (Ch. 130, section 74A),
3. DMF Management Closure (MC) based upon the lack of a DMF shellfish sanitary survey, triennial report or NSSP required number of water samples (Ch. 130, section 2, 17, 17A, 74, 75, 80 & 104; 322 CMR 7.01 (7))
4. Municipal management closure based upon the closure of an area for management or propagation purposes (Ch. 130, section 54).
5. Ch. 130, section 71 establishes a closed harvest season for bay scallops April 1 to October 1 each year. Municipalities may modify bay scallop season within the above mentioned season [Ch. 130, section 73].

Catch (possession) limits subject to town or city regulation

Size Limits: Subject to state law or regulation as listed:

CATCH LIMITS and SIZE LIMITS for SHELLFISH and other INVERTEBRATES:

INVERTEBRATES	MINIMUM SIZE	OTHER RESTRICTIONS
BLUE CRAB	4 $\frac{1}{8}$ " shell width (spine to spine)	open season May 1 - Dec. 31 egg-bearers cannot be taken
LOBSTER	3 $\frac{1}{4}$ " carapace length 5" maximum size in Gulf of Maine	egg-bearers & v-notched females, cannot be possessed
SEA URCHIN	2" diameter excluding spines	open season(comm.) 9/1 - 4/30
CONCH	2 $\frac{3}{4}$ " shell width, 322 CMR 6.21	consult town regulations
OYSTER	3" shell diameter, 322 CMR 6.20	consult town regulations
QUAHOG	1" shell thickness, 322 CMR 6.20	consult town regulations
SEA SCALLOP	3 $\frac{1}{2}$ " shell height, 322 CMR 6.05	
SOFT-SHELL CLAM	2" shell diameter, 322 CMR 6.20	consult town regulations
BAY SCALLOPS	well-defined growth ring	consult town regulations; closed season April 1 - Oct 1
SURF CLAM	5" shell diameter, 322 CMR 6.08	possession limits

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: SEA URCHIN FISHERY with SCUBA

**PERMIT
REQUIRED:**

INDIVIDUAL DIVER

(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
Individual _____	\$65	\$130
AND (2) Regulated Fishery Permit _____	\$30	\$60

TENDER BOAT (*Disregard if each individual on board is permitted as above.*)

(1) Commercial Fishermen	<u>Resident</u>	<u>Non Res.</u>
Boat (Coastal or Offshore Lobster) _____	\$260	\$520
(60 - 99 feet) _____	\$195	\$390
(59 feet or less) _____	\$130	\$260
AND (2) Regulated Fishery Permit _____	\$30	\$60

GEAR

RESTRICTIONS: • Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON

CLOSURES: • May 1 - August 31 closed season [CMR 6.24(3)].

SPECIES BANNED

TO THIS GEAR: • No bycatch of regulated species allowed, including any finfish, lobsters, or shellfish [CMR 6.24(7)(b)].
• Sublegal urchins must be culled and returned immediately [CMR 6.24(2)].

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Refer to Chapter 130 and 322 CMR for details.

FISHERY: SEA URCHIN FISHERY using DREDGES

PERMIT

REQUIRED:		<u>Resident</u>	<u>Non Res.</u>
(1) Commercial Fishermen	Boat (Coastal or Offshore Lobster)_____	\$260	\$520
	(60 - 99 feet)_____	\$195	\$390
	(59 feet or less)_____	\$130	\$260
	or		
	Individual_____	\$65	\$130
AND (2) Regulated Fishery Permit _____		\$30	\$60
AND (3) Coastal Access Permit (if fishing with dredge greater than 48 inches in waters open to mobile gear fishing)_____		\$30	\$60

PERMIT LIMIT: • Coastal Access Permits limited to those who held a permit in 1994 and are transferrable [CMR 7.05(13)].

GEAR

RESTRICTIONS:

- Limited to single dredge of 48 inches effective fishing width if fishing in areas closed to mobile gear (spare may be stowed on board) [CMR 6.24(4)(a,b)].

Also:

- Frame constructed of 3/4" (or smaller) stock with skids 3' or less.
- Chain sweep constructed of no more than 1/4" in a single layer square pattern less than 4.5' long.
- Twine codend maximum 5' long.
- Chafing gear constructed of twine or rubber mat maximum 5' long and 4' wide.
- Cable for towing dredge: maximum diameter 3/8" cable or 5/8" rope.
- Limited to use and possession of dredge or combination of dredges with an effective fishing width of 10 feet when fishing in areas open to mobile gear [CMR 6.24(4)(c,d)].
- Vessel maximum size: 90 feet registered length [CMR 7.05 (13)].

AREA/SEASON CLOSURES:

- All state waters closed to night fishing year-round [CMR 8.03, 6.24(7)(a)].
- May 1 - August 31 closed season for all commercial urchin harvest [CMR 6.24(3)].
- If fishing with dredge greater than 48" see mobile gear summaries for areas open to mobile gear.
- North of Cape Cod, Feb 1 - April 30, inside winter flounder spawning closure line from P'town to N.H. [CMR 6.24(5) & 8.09].

SPECIES BANNED TO THIS GEAR:

- No bycatch of regulated species allowed, including any finfish, lobsters, or shellfish [CMR 6.24(6)(b)].
- Sublegal urchins must be culled and returned immediately [CMR 6.24(2)(b)].

Refer to Chapter 130 and 322 CMR for details.

FINFISH MINIMUM SIZE AND POSSESSION LIMITS

MINIMUM SIZE LIMITS

- (1) Commercial and Recreational Fishermen. It is unlawful for any person to possess:
 - (a) Black sea bass less than 12" total length not including the tail tendril as established by 322 CMR 8.06.
 - (b) Eels less than 6" total length as established by 322 CMR 6.30.
 - (c) Dab less than 14" total length as established by 322 CMR 6.09.
 - (d) Gray sole less than 14" total length as established by 322 CMR 6.09.
 - (e) Monkfish less than 17" total length or monkfish tails less than 11" as established by 322 CMR 8.06.
 - (f) Redfish less than 9" total length as established by 322 CMR 8.06.
 - (g) Scup less than 9" total length as established by 322 CMR 8.06.
 - (h) Tautog less than 16" total length as established by 322 CMR 8.06.
 - (i) Weakfish less than 16" total length as established by 322 CMR 8.06.
 - (j) Windowpane flounder less than 12" total length as established by 322 CMR 6.09.
 - (k) Winter flounder less than 12" total length as established by 322 CMR 6.09.
 - (l) Yellowtail flounder less than 13" total length as established by 322 CMR 6.03.
- (2) Commercial Fishermen. It is unlawful for any commercial fisherman to possess:
 - (a) Cod less than 19" total length as established by 322 CMR 6.03.
 - (b) Haddock less than 19" total length as established by 322 CMR 6.03.
 - (c) Pollock less than 19" total length as established by 322 CMR 6.03.
 - (d) Striped bass less than 34" total length as established by 322 CMR 6.07.
 - (e) Summer flounder less than 14" total length as established by 322 CMR 6.09.
- (3) Recreational Fishermen. It is unlawful for any recreational fisherman to possess:
 - (a) Cod less than 21" total length as established by 322 CMR 6.03.
 - (b) Haddock less than 21" total length as established by 322 CMR 6.03.
 - (c) Blue marlin less than 86" fork length as established by 322 CMR 6.11.
 - (d) Sailfish less than 57" fork length as established by 322 CMR 6.11.
 - (e) Striped bass less than 28" total length as established by 322 CMR 6.07.
 - (f) Summer flounder less than 15½" total length as established by 322 CMR 6.09.
 - (g) White marlin less than 62" fork length as established by 322 CMR 6.11.

POSSESSION LIMITS

- (1) Recreational Fishermen. It is unlawful for any recreational fisherman to possess at any one time more than:
 - (a) 20 black sea bass as established by 322 CMR 8.06.
 - (b) 1 blue marlin as established by 322 CMR 6.11.
 - (c) 10 bluefish as established by 322 CMR 6.18.
 - (d) 10 cod and haddock in any combination as established by 322 CMR 6.03.
 - (e) 1 sailfish as established by 322 CMR 6.11.
 - (f) 50 scup as established by 322 CMR 8.06.
 - (g) 1 striped bass as established by 322 CMR 6.07.
 - (h) 8 summer flounder as established by 322 CMR 6.22.
 - (i) 6 tautog as established by 322 CMR 8.06.
 - (j) 1 white marlin as established by 322 CMR 6.11.
 - (k) 10 winter flounder during the open period of May 1 through the last day of February, inclusive.
 - (l) 6 shad as established by 322 CMR 8.06.
 - (m) 50 eels as established by 322 CMR 6.30.
- (2) Seasonal Restrictions. It is unlawful for any recreational fisherman to possess winter flounder during the closed period of March 1 - April 30, inclusive as established by 322 CMR 6.23.
It is unlawful for any recreational fisherman to possess summer flounder during the closed period of September 12-May 28, inclusive as established by 322 CMR 6.22; this will likely change in 2000.
It is unlawful for any commercial fisherman to possess tautog outside of the open periods of April 16-May 15 and July 11-October 3 inclusive as established by 322 CMR 8.13.
- (3) Commercial Fishermen. It is unlawful for any commercial fisherman to possess more than:
 - (a) the daily allowance for black sea bass as established by 322 CMR 6.28
 - (b) the daily allowance for bluefish as established by 322 CMR 4.05
 - (c) 400 pounds of cod caught in waters under the jurisdiction of the Commonwealth north of 42°00'N. latitude including all waters of Cape Cod Bay as established by 322 CMR 6.03.
 - (d) the daily allowance for fluke as established by 322 CMR 6.22

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- (e) the daily allowance for scup as established by 322 CMR 6.28
 - (f) the daily allowance for striped bass as established by 322 CMR 6.07
 - (g) 40 tautog at any one time as established by 322 CMR 8.06.
 - (h) 6 shad as established by 322 CMR 8.06. (It is unlawful to possess shad taken by nets Ch 130, s100c)
 - (i) unlawful to possess sea herring during times and areas defined in CMR 9.02.
- (4) Sturgeon. It is unlawful for any person to land or possess any Atlantic sturgeon or the endangered short-nosed sturgeon as established by 322 CMR 6.16.



